

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

ISAAC HUDSON, JR. §
VS. § CIVIL ACTION NO. 1:19-CV-570
DIRECTOR, TDCJ-CID §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner, Isaac Hudson, Jr., an inmate now confined at the Polunsky Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The Court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends the petition be dismissed for want of prosecution as petitioner has yet to pay the filing fee or file an application to proceed *in forma pauperis* (docket entry no. 4).

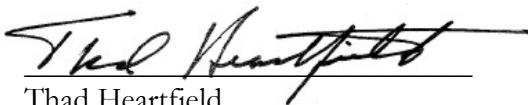
The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. Petitioner filed objections to the Report and Recommendation of United States Magistrate Judge. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the Court finds the objections lacking in merit. This case was severed from Civil Action No. 1:19cv468 as petitioner was contesting multiple disciplinary convictions. Each case requires a separate filing fee. The Magistrate Judge entered an Order on November 7, 2019, requiring petitioner to pay the \$5.00 filing fee and/or submit a statement certified by the Orange County Jail showing the average balance in and average deposits to petitioner's inmate trust account for the preceding six months (docket entry no. 3). Petitioner has had ample time to comply with this Order of the Magistrate Judge.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. Petitioner has since been transferred to the Polunsky Unit. Petitioner has thirty (30) days to pay the \$5.00 filing fee and/or file an application to proceed *in forma pauperis* accompanied with a statement prepared by a TDCJ-CID official showing the average balance and average deposits to petitioner's inmate trust account for the preceding six month period.

SIGNED this the 27 day of **October, 2020**.



Thad Heartfield
United States District Judge